

**REMARKS**

Applicants acknowledge receipt of the Office Action dated March 29, 2005, in which the Examiner rejected claims 1-30 as obvious in view of U.S. Published Application No. 2004/0068148 to Allison ("the '148 publication").

Applicants respectfully submit that, because the '148 publication was not published until April 8, 2004, which is after the filing date of the present application (November 21, 2003), the '148 publication is only citable under §103 in combination with §102(e). In such a case, 35 U.S.C. § 103(c)(1) applies. That section reads:

(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Both the present application and the '148 publication have been assigned to the same entity. The assignment of the '148 publication to Conoco Inc. was recorded at Reel/Frame 013643/0715 and the assignment of the present application to ConocoPhillips Company was recorded at Reel/Frame 015193/0231. As the result of a merger on December 31, 2002, ConocoPhillips Company became the successor-in-interest to Conoco Inc. Hence, the requirements of § 103(c)(1) are satisfied and the '148 is precluded from serving as the basis for an obviousness rejection of the present claims.

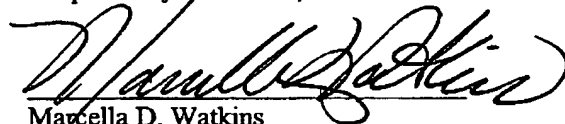
**Amendments to the Specification**

Paragraph [0094] of the specification has been amended to incorporate the publication numbers of the co-pending applications cited therein. The amendments do not alter the scope or meaning of the specification in any way.

**Conclusion**

Applicants believe that this Response places the case in condition for allowance. If the Examiner disagrees, or if she has any question or comment regarding the foregoing, she is requested to telephone the undersigned at (713) 238-8043.

Respectfully submitted,



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